United Nations

A/65/476

General Assembly

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Sixty-fifth session
Agenda item 118

Revitalization of the work of the General Assembly

Report of the Sixth Committee

Rapporteur: Mrs. Glenna **Cabello de Daboin** (Bolivarian Republic of Venezuela)

I. Introduction

1. The item entitled "Revitalization of the work of the General Assembly" was included in the provisional agenda of the sixty-fifth session of the General Assembly pursuant to Assembly resolution 58/316 of 1 July 2004.

2. At its 2nd plenary meeting, on 17 September 2010, the General Assembly, on the recommendation of the General Committee, decided to allocate the item to all the Main Committees for the sole purpose of considering and taking action on their respective tentative programmes of work for the sixty-sixth session of the General Assembly.

3. The Committee considered the item at its 28th meeting, on 11 November 2010 (see A/C.6/65/SR.28).

II. Consideration of draft decision A/C.6/65/L.21

4. At the 28th meeting, the Chair introduced a draft decision containing the provisional programme of work of the Committee for the sixty-sixth session of the General Assembly, as proposed by the Bureau (A/C.6/65/L.21).

5. Statements were made by the representatives of Chile (on behalf of the Rio Group), Belgium (on behalf of the European Union) and Ghana (on behalf of the Group of African States).

6. At the same meeting, the Committee adopted draft decision A/C.6/65/L.21 (see para. 7).

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III. Recommendation of the Sixth Committee

7. The Sixth Committee recommends to the General Assembly the adoption of the following draft decision:

Provisional programme of work of the Sixth Committee for the sixty-sixth session of the General Assembly

The General Assembly notes that the Sixth Committee has decided to adopt the following provisional programme of work for the sixty-sixth session of the General Assembly, as proposed by the Bureau:

Provisional programme of work

3 October	Organization of work of the Sixth Committee
3 and 4 October	Measures to eliminate international terrorism
5 October	The rule of law at the national and international levels
6 October	Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization
7 October	Criminal accountability of United Nations officials and experts on mission
10 October	Report of the United Nations Commission on International Trade Law on the work of its forty-fourth session
10 and 11 October	Administration of justice at the United Nations
12 and 13 October	The scope and application of universal jurisdiction
14 October	United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law
17 October	Nationality of natural persons in relation to the succession of States
18 October	The law of transboundary aquifers
24 October-2 November	Report of the International Law Commission on the work of its sixty-third session
10 November	Report of the Committee on Relations with the Host Country
	Revitalization of the work of the General Assembly

	Programme planning
	Election of the officers of the Main Committees
19, 20, 21 October and 4 November	Reserved

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Programme planning

Report of the Sixth Committee

Rapporteur: Mrs. Glenna **Cabello de Daboin** (Bolivarian Republic of Venezuela)

1. At its 2nd plenary meeting, on 17 September 2010, the General Assembly, on the recommendation of the General Committee, decided to include the item entitled "Programme planning" in its agenda and to allocate it to the Sixth Committee as well as to all the other Main Committees and the plenary of the Assembly to enhance discussion of evaluation, planning, budgeting and monitoring reports.

2. The Sixth Committee considered the item at its 28th meeting, on 11 November 2010 (see A/C.6/65/SR.28). The Committee was informed that no reports were allocated to it under the agenda item.

3. At the same meeting, the Sixth Committee concluded its consideration of the item without taking action.

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General Assembly

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25 October 2010
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Sixty-fifth session
Agenda item 140

Administration of justice at the United Nations

Report of the Sixth Committee

Rapporteur: Mrs. Glenna **Cabello de Daboin** (Bolivarian Republic of Venezuela)

I. Introduction

1. By its decision 64/527 of 16 December 2009, the General Assembly decided to include in the provisional agenda of its sixty-fifth session the item entitled "Administration of justice at the United Nations".

2. At its 2nd plenary meeting, on 17 September 2010, the General Assembly, on the recommendation of the General Committee, decided, in the light of resolutions 64/119 and 64/233 and decision 64/527, to include the item in its agenda and to allocate it to the Fifth Committee for its consideration and to the Sixth Committee for the purpose of considering the legal aspects of the reports to be submitted in connection with the item.

3. The Sixth Committee considered the item at its 1st, 4th, 5th, 12th and 18th meetings, on 4, 6, 15 and 22 October 2010. The views of the representatives who spoke during the Committee's consideration of the item are reflected in the relevant summary records (A/C.6/65/SR.1, 4, 5, 12 and 18).

4. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Internal Justice Council on the code of conduct for the judges of the United Nations Dispute Tribunal and the United Nations Appeals Tribunal (A/65/86);

(b) Report of the Internal Justice Council on the administration of justice at the United Nations (A/65/304);

(c) Report of the Secretary-General on the activities of the Office of the United Nations Ombudsman and Mediation Services (A/65/303);

(d) Report on the Secretary-General on the administration of justice at the United Nations (A/65/373 and Corr.1).

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5. Pursuant to decision 64/527, the Sixth Committee decided, at its 1st meeting, on 4 October 2010, to establish a Working Group on the Administration of Justice at the United Nations, in order to fulfil the mandate conferred by the General Assembly on the Committee, namely, the consideration of the legal aspects of the reports to be submitted in connection with the item. At the same meeting, the Committee elected Mr. Ganeson Sivagurunathan (Malaysia) as Chair of the Working Group and decided to open the Working Group to all States Members of the United Nations or members of the specialized agencies or of the International Atomic Energy Agency. The Working Group held three meetings, on 7, 11 and 14 October 2010.

6. At the 12th meeting of the Committee, on 15 October, the Chair of the Working Group on the Administration of Justice at the United Nations presented an oral report on the work of the Working Group (see A/C.6/65/SR.12).

II. Consideration of draft decision A/C.6/65/L.2

7. At the 12th meeting of the Sixth Committee, on 15 October, the Chair of the Working Group on the Administration of Justice at the United Nations introduced a draft decision entitled "Administration of justice at the United Nations" (A/C.6/65/L.2).

8. At its 18th meeting, on 22 October, the Sixth Committee adopted draft decision A/C.6/65/L.2 without a vote (see para. 10).

9. At the same meeting, the Committee decided that its Chair would send to the President of the General Assembly a letter drawing his attention to certain specific issues relating to the legal aspects of the reports submitted under the item, as discussed in the Sixth Committee. The letter would contain a request that it be brought to the attention of the Chair of the Fifth Committee and circulated as a document of the Assembly.

III. Recommendation of the Sixth Committee

10. The Sixth Committee recommends to the General Assembly the adoption of the following draft decision:

Administration of justice at the United Nations

The General Assembly decides that the consideration of the outstanding legal aspects of the item entitled "Administration of justice at the United Nations", including the question of effective remedies for non-staff personnel, as well as the code of conduct for the judges of the United Nations Dispute Tribunal and the United Nations Appeals Tribunal, shall be continued during its sixty-sixth session in the framework of a working group of the Sixth Committee, taking into account the results of the deliberations of the Fifth and Sixth Committees on the item, previous decisions of the Assembly and any further decisions that the Assembly may take during its sixty-fifth session. The Assembly also decides to include in the provisional agenda of its sixty-sixth session the item entitled "Administration of justice at the United Nations".

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Sixty-fifth session
Agenda item 161

Report of the Committee on Relations with the Host Country

Report of the Sixth Committee

Rapporteur: Mrs. Glenna **Cabello de Daboin** (Bolivarian Republic of Venezuela)

I. Introduction

1. The item entitled "Report of the Committee on Relations with the Host Country" was included in the provisional agenda of the sixty-fifth session of the General Assembly pursuant to Assembly resolution 64/120 of 16 December 2009.

2. At its 2nd plenary meeting, on 17 September 2010, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. The Sixth Committee considered the item at its 28th meeting, on 11 November 2010. The views of the representatives who spoke during the Committee's consideration of the item are reflected in the relevant summary record (A/C.6/65/SR.28).

4. For its consideration of the item, the Committee had before it the report of the Committee on Relations with the Host Country.[1]

5. At the 28th meeting, on 11 November, the Chair of the Committee on Relations with the Host Country introduced the report of that Committee (see A/C.6/65/SR.28).

II. Consideration of draft resolution A/C.6/65/L.11

6. At the 28th meeting, on 11 November, the representative of Cyprus, on behalf of Bulgaria, Canada, Costa Rica, Côte d'Ivoire and Cyprus, introduced a draft

[1] *Official Records of the General Assembly, Sixty-fifth Session, Supplement No. 26* (A/65/26).

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resolution entitled "Report of the Committee on Relations with the Host Country" (A/C.6/65/L.11).

7. At the same meeting, the Committee adopted draft resolution A/C.6/65/L.11 without a vote (see para. 8).

III. Recommendation of the Sixth Committee

8. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

Report of the Committee on Relations with the Host Country

The General Assembly,

Having considered the report of the Committee on Relations with the Host Country,[1]

Recalling Article 105 of the Charter of the United Nations, the Convention on the Privileges and Immunities of the United Nations,[2] the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations[3] and the responsibilities of the host country,

Recalling also that, in accordance with paragraph 7 of General Assembly resolution 2819 (XXVI) of 15 December 1971, the Committee should consider, and advise the host country on, issues arising in connection with the implementation of the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations,

Recognizing that effective measures should continue to be taken by the competent authorities of the host country, in particular to prevent any acts violating the security of missions and the safety of their personnel,

1. *Endorses* the recommendations and conclusions of the Committee on Relations with the Host Country contained in paragraph 21 of its report;[1]

2. *Considers* that the maintenance of appropriate conditions for the normal work of the delegations and the missions accredited to the United Nations and the observance of their privileges and immunities, which is an issue of great importance, are in the interest of the United Nations and all Member States, and requests the host country to continue to solve, through negotiations, problems that might arise and to take all measures necessary to prevent any interference with the functioning of missions; and urges the host country to continue to take appropriate action, such as training of police, security, customs and border control officers, with a view to maintaining respect for diplomatic privileges and immunities and if violations occur to ensure that such cases are properly investigated and remedied, in accordance with applicable law;

3. *Notes* the problems experienced by some permanent missions in connection with the implementation of the Parking Programme for Diplomatic Vehicles,[4] and notes that the Committee shall remain seized of the matter, with a view to continuing to maintain the proper implementation of the Parking Programme in a manner that is fair, non-discriminatory, effective and therefore consistent with international law;

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[1] *Official Records of the General Assembly, Sixty-fifth Session, Supplement No. 26* (A/65/26).

[2] Resolution 22 A (I).

[3] See resolution 169 (II).

[4] A/AC.154/355, annex.

4. *Requests* the host country to consider removing the remaining travel restrictions imposed by it on staff of certain missions and staff members of the Secretariat of certain nationalities, and in this regard notes the long-standing positions of affected States, of the Secretary-General and of the host country;

5. *Notes* the concerns expressed by some delegations concerning the denial and delay of entry visas to representatives of Member States;

6. *Notes also* that the Committee anticipates that the host country will enhance its efforts to ensure the issuance of entry visas, in a timely manner, to representatives of Member States, pursuant to article IV, section 11, of the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations[3] to travel to New York on United Nations business; and notes that the Committee anticipates that the host country will enhance efforts, including visa issuance, to facilitate the participation of representatives of Member States in other United Nations meetings as appropriate;

7. *Notes further* that a number of delegations have requested shortening the time frame applied by the host country for issuance of entry visas to representatives of Member States, since this time frame poses difficulties for the full-fledged participation of Member States in United Nations meetings;

8. *Expresses its appreciation* for the efforts made by the host country, and hopes that the issues raised at the meetings of the Committee will continue to be resolved in a spirit of cooperation and in accordance with international law;

9. *Affirms* the importance of the Committee being in a position to fulfil its mandate and meet on short notice to deal with urgent and important matters concerning the relations between the United Nations and the host country, and in that connection requests the Secretariat and the Committee on Conferences to accord priority to requests from the Committee on Relations with the Host Country for conference-servicing facilities for meetings of that Committee that must be held while the General Assembly and its Main Committees are meeting, without prejudice to the requirements of those bodies and on an "as available" basis;

10. *Requests* the Secretary-General to remain actively engaged in all aspects of the relations of the United Nations with the host country;

11. *Requests* the Committee to continue its work in conformity with General Assembly resolution 2819 (XXVI);

12. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "Report of the Committee on Relations with the Host Country".